The specification has been amended to correct an error. Support for the correction can be found throughout the specification as filed, including the title.

Claim 21 has been rejected under 35 U.S.C. §112, ¶1, as containing subject matter which was not described in the specification in such a way as to reasonably convey that the inventors, at the time the application was filed, had possession of the claimed invention. However, it appears that this rejection should rather apply to claim 23, as the subject of the rejection is a biometrics device that is recited, not in claim 21, but in claim 23. Applicants respond with the understanding that the rejection pertains to claim 23.

The Examiner states that the specification fails to provide an adequate written description of the biometrics device. However, biometrics devices for user identification were well known prior to Applicants' filing. See, for example, U.S. Patent Nos. 5,566,327; 5,818,955; 5,933,515; 5,920,642; and 5,892,838; a small sampling of patents that teach biometrics devices or methods which issued prior to Applicants' earliest filing date. Applicants' Background section states that "Other ways of collecting punches are by ... a biometrics device such as a hand or fingerprint reader." (Specification as filed, p. 1, ll. 13-16) Applicants

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believe that this statement, in view of art known at the time of

Applicants' filing, enables one skilled in the art to make and use

the invention, as required by 35 U.S.C. §112, ¶1. Therefore,

Applicants request that the rejection of claim 23, based on 35

U.S.C. §112, ¶1, be withdrawn. This same reasoning applies equally

to new claim 49 for which allowance is sought.

Further to the discussion of biometrics, the Examiner has

objected to the drawings as not showing the biometrics device as

claimed. Applicants respectfully disagree. "Punch information can

be collected, for example, by a reader through which encoded cards

are swiped, or by a biometric device, and then stored in a

database." (Specification as filed, p. 3, ll. 13-15) Fig. 1

illustrates two entry terminals 4, where punches are entered.

(Specification as filed, p. 4, ll. 18-21) "Other ways of

collecting punches are by a hand-written time sheet, a computer

program such as STARstation, a telephone, a cash register, or a

biometrics device such as a hand or fingerprint reader."

(Specification as filed, p. 1, ll. 13-16) Thus, the terminals 4

shown in Fig. 1 may implement any of these methods, including

biometrics, and, therefore, these terminals 4 in one embodiment

represent the claimed biometrics devices. That is, Fig. 1 as filed

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does show the biometrics device as claimed, and Applicants respectfully request the withdrawal of this objection.

Claims 34 and 36 have been rejected under 35 U.S.C. §112, ¶2, as being indefinite for failing to point out and distinctly claim the subject matter that Applicants regard as the invention. In response, claims 34 and 36 have been amended and withdrawal of these rejections under 35 U.S.C. §112, ¶2, is respectfully requested.

Claims 1-7 and 17-35 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Wynn et al., U.S. Patent No. 5,717,867 ("Wynn"). Claim 1 has been amended to include the limitations of allowed claim 8, now cancelled, and should now be allowable. Allowed claims 9-11 and 13, which depended from claim 8, have been amended to depend from claim 1, and their allowance is respectfully requested. In addition, allowance of dependent claims 2-7 and 17-32 should now follow.

Claims 33-35 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Wynn, and claim 36 has been rejected under 35 U.S.C. §102(b) as being anticipated by Wynn. Each of claims 33, 35 and 36 has been amended to include the limitations of allowed claim 8 and should therefore be allowable. Claim 36 has further been amended for clarity. Claim 34 is discussed below.

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New independent claim 37 incorporates the limitations of claim 5 as originally filed with the limitations of its base claim, i.e., claim 1 as originally filed, with the additional limitation that the attribute-to-pay category mapping is user-configurable. See Fig. 5 and page 13, lines 7-25 for support.

In rejecting claim 5 as filed, the Examiner asserts that Wynn's Table 1 teaches or suggests "a mapping which maps each set of attributes to at least one pay category," as recited in Applicants' claim 5 as filed (new claim 37). An example of Applicants' mapping is illustrated in Applicants' Fig. 4 as filed. It can be seen that each row of the mapping matrix 100 defines a unique combination of attributes that maps to one or more pay categories. (Specification as filed, p. 12, l. 25, to p. 13, l.6) Such a mapping allows for unprecedented flexibility, allowing quick changes that redefine which pay categories are to be applied to various combinations of attributes.

Wynn's Table 1, on the other hand, simply illustrates a format in which information received from a time clock is stored. Table 1 neither teaches nor suggests "a user-configurable mapping which maps each set of attributes to at least one pay category," as recited in new claim 37. Applicants therefore respectfully request either allowance of new claim 37 or that the Examiner

identify the particular passage of Wynn that the Examiner believes teaches or suggests such a limitation.

New claims 38-58 have been added which parallel claims 2-4, 6, 7, and 17-32, but which depend from new claim 37. Their allowance should therefore follow from new claim 37.

Claim 34 includes limitations similar to those of new claim 37 and has been amended to include the limitation that the mapping is user-configurable. Claim 34, amended as described here and in response to the 35 U.S.C. §112 rejection discussed earlier, should therefore be allowable.

New claims 59-60 have been added which parallel claims 35 and 36, respectively, with the "user-configurable mapping" limitations similar to those of new claim 37 instead of those limitations of allowed claim 8. For the reasons stated above with respect to claims 37-58, new claims 59-60 should be allowable.
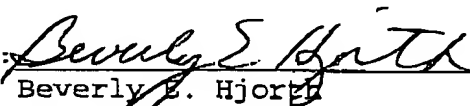
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In view of the above amendments and remarks, it is believed that all pending claims, i.e., claims 1-7 and 9-60, are in condition for allowance, and it is respectfully requested that the application be passed to issue. The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

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MARKED-UP VERSION OF AMENDMENTS

In the Specification

Paragraph at page 15, lines 14-22:

It will be apparent to those of ordinary skill in the art that methods involved in the present system for ~~monitoring a supply chain~~ <u>tracking time and attendance</u> may be embodied in a computer program product that includes a computer usable medium. For example, such a computer usable medium can include a readable memory device, such as a hard drive device, a CD-ROM, a DVD-ROM, or a computer diskette, having computer readable program code segments stored thereon. The computer readable medium can also include a communications or transmission medium, such as a bus or a communications link, either optical, wired, or wireless, having program code segments carried thereon as digital or analog data signals.

In the Claims

1. (Amended) A method for calculating an employee's compensation, comprising, in a processor:

associating sets of attributes with pay categories;

<u>associating a compensation qualifier with each pay category;</u>

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splitting the employee's shifts into sub-shifts, responsive

to work parameters; and

for each sub-shift,

determining a set of attributes for the sub-shift,

determining a pay category with which the set of

attributes is associated,

assigning the pay category to the sub-shift, and

determining compensation for the employee for the sub-

shift, responsive to the assigned pay category, the

employee's base pay and a compensation qualifier associated

with the pay category.

9.   (Amended)   The method of claim 8 1, wherein plural

compensation qualifiers are associated with a pay category, each

compensation qualifier being in effect for a different time of

day.

10.   (Amended)   The method of claim 8 1, wherein the compensation

qualifier comprises a pay multiplier, such that determining

compensation for the employee for the sub-shift comprises

multiplying the employee's base pay by the pay multiplier.

11.   (Amended)   The method of claim ~~8~~ <u>1</u>, wherein the compensation qualifier comprises a pay adder, such that determining compensation for the employee for the sub-shift comprises adding the pay adder to the employee's base pay.

13.   (Amended)   The method of claim ~~8~~ <u>1</u>, wherein the compensation qualifier comprises a bonus time, such that determining compensation for the employee for the sub-shift comprises awarding the employee the bonus time.

33.   (Amended)   A   method   for   calculating   an   employee's compensation for a pay period, comprising, in a data processor:

associating sets of parameters with pay categories,<u> a compensation qualifier being associated with each pay category;</u>

obtaining the employee's punch information;

determining time segments responsive to the punch information;

for each time segment,

determining a set of valid parameters according to a set of rules,

determining a pay category associated with the set of valid parameters, and

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calculating the employee's compensation for the time

segment responsive to the pay category, the employee's base

pay and a compensation qualifier associated with the pay

category; and

determining the employee's compensation for the pay period

responsive to the calculated compensations determined for time

segments within the pay period.

34. (Amended) A time and attendance system, comprising:

a database for storing punch data; and

a calculation engine ~~for calculating~~ which calculates an

employee's compensation responsive to the stored punch data, the

calculation engine comprising:

means for determining subshifts, responsive to the

stored punch data and to work parameters,

means for associating at least one attribute with each

subshift,

a user-configurable mapping which maps each of a

plurality of unique sets of attributes to at least one pay

category, such that a particular subshift can be associated,

through the mapping and responsive to the set of attributes

with which the particular subshift is associated, with the

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respective at least one pay category to which the set of

attributes is mapped, and

means for determining compensation for a subshift

responsive to the respective at least one pay category.

35. (Amended)   A computer program product for calculating an

employee's compensation, the computer program product comprising a

computer usable medium having computer readable code thereon,

including program code which:

associates sets of attributes with pay categories, a

compensation qualifier being associated with each pay category;

splits the employee's shifts into sub-shifts, responsive to

work parameters; and

for each sub-shift,

determines a set of attributes for the sub-shift,

determines a pay category with which the set of

attributes is associated,

assigns the pay category to the sub-shift, and

determines compensation for the employee for the sub-

shift, responsive to the assigned pay category, the

employee's base pay and a compensation qualifier associated

with the assigned pay category.

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36.   (Amended)   A computer data signal embodied in a carrier wave ~~for allowing users to calculate an employee's compensation~~, comprising:

program code ~~for associating~~ which associates sets of attributes with pay categories, a compensation qualifier being associated with each pay category;

program code ~~for splitting~~ which splits the employee's shifts into sub-shifts, responsive to work parameters;

program code ~~for associating~~ which associates a set of attributes ~~for~~ with a sub-shift; and

program code ~~for determining~~ which determines compensation for the employee for the sub-shift, responsive to pay categories associated with the set of attributes associated with the sub-shift, the employee's base pay and compensation qualifiers associated with the pay categories.

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